



ATTORNEY DOCKET NO. 79701

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: ERGUN et al. )  
)  
Appln. No.: 10/717,263 )  
)  
Filed: November 19, 2003 )  
)  
Title: MOVEABLE BARRIER )  
OPERATOR HAVING SERIAL )  
DATA COMMUNICATION )  
)  
Group Art )  
Unit: 2837 )  
)  
Examiner: Edgardo San Martin )

**Confirmation No. 7723**

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

11/30/06 Kenneth H. Samples  
Date Kenneth H. Samples  
Registration No. 25,747  
Attorney for Applicant(s)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**SUBSTITUTE TERMINAL DISCLAIMER**

Sir:

This Substitute Terminal Disclaimer is presented to correct certain errors present in the Terminal Disclaimer filed on June 16, 2006. Specifically, the previously filed Terminal Disclaimer provided an incorrect title of invention.

The Terminal Disclaimer is presented in response to the Office Action dated March 17, 2006 in the present application. The Chamberlain Group, Inc. ("Chamberlain"), the owner of one hundred percent (100%) interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any Terminal Disclaimer, of prior U.S. Patent No. 6,624,605. As acknowledged in the March 17, 2006 Office Action, the Applicant previously established the common ownership of the instant application and U.S. Patent No. 6,624,605. A copy of the previously filed Assignment and Recordation Form Cover Sheet for U.S. Patent No. 6,624,605 is also attached hereto.

Chamberlain hereby agrees that any patent granted on the instant application shall be enforceable only for and during such period that said patent is commonly owned with U.S. Patent

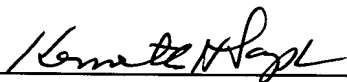
No. 6,624,605, the patent which formed the basis for a judicially created double patenting rejection in the instant application. This terminal disclaimer runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Chamberlain does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any Terminal Disclaimer, in the event that it expires for failure to pay a Maintenance Fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any Terminal Disclaimer.

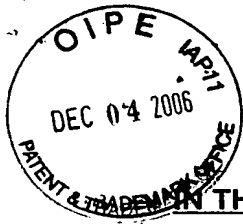
The fee for the Terminal Disclaimer was previously charged to Deposit Account No. 06-1135. Hence, Applicants believe no further fee is required. However, the Commissioner is hereby authorized to charge any additional fees which may be required in this Application to Deposit Account No. 06-1135.

Respectfully requested,

FITCH, EVEN, TABIN & FLANNERY

By   
Kenneth H. Samples  
Registration No.: 25,747

Date: 11/30/04  
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Previously submitted

ATTORNEY DOCKET NO. 79701

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Fitzgibbon et al.

Appln. No.: 10/717,263

Filed: November 19, 2003

Title: ENTRY CONTROL SYSTEM

Group Art

Unit: 2632

Examiner: Edgardo San Martin

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6/14/06  
Date

Kenneth H. Samples  
Kenneth H. Samples  
Registration No. 25,747  
Attorney for Applicant(s)

Mail Stop **AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**DOCKETED**

SEP 20 2006

BY DS

**TERMINAL DISCLAIMER**

Sir:

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Chamberlain hereby agrees that any patent granted on the instant application shall be enforceable only for and during such period that said patent is commonly owned with U.S. Patent No. 6,624,605, the patent which formed the basis for a judicially created double patenting rejection in the instant application. This terminal disclaimer runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

Application No. 10/717,263  
Reply to Office Action of March 17, 2006

Attorney Docket No. 79701

In making the above disclaimer, Chamberlain does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any Terminal Disclaimer, in the event that it expires for failure to pay a Maintenance Fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any Terminal Disclaimer.

Please charge the \$130.00 Terminal Disclaimer fee, set forth in 37 C.F.R. §1.20(d), to Deposit Account No. 06-1135.

Respectfully requested,

FITCH, EVEN, TABIN & FLANNERY

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